

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE MERRILL LYNCH RESEARCH 02 MDL 1484 (JFK)  
REPORTS SECURITIES LITIGATION :  
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This case relates to:

RONALD VENTURA, : 07 Civ. 6677 (JFK)

Plaintiff,

-against-

MERRILL LYNCH & CO., INC., MERRILL  
LYNCH, PIERCE, FENNER & SMITH INCOR- :  
PORATED AND HENRY BLODGET,

Defendants.

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DECLARATION OF SCOTT D. MUSOFF IN SUPPORT OF MERRILL LYNCH & CO., INC.  
AND MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED'S  
MOTION TO DISMISS THE COMPLAINT

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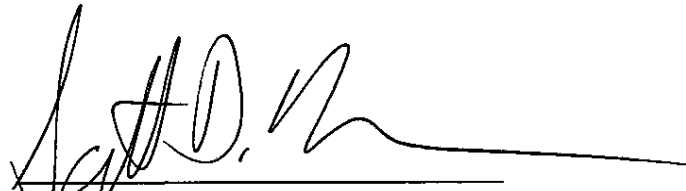
SCOTT D. MUSOFF, pursuant to 28 U.S.C. § 1746, declares under penalties of perjury as follows:

I am a member of the Bar of this Court and of the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for defendants Merrill Lynch & Co., Inc. and Merrill Lynch, Pierce, Fenner & Smith Incorporated ("Merrill Lynch"). I submit this Declaration in support of Merrill Lynch's motion to dismiss the complaint and to place before the Court true and correct copies of the following documents:

Exhibit

1. Consolidated amended class action complaint filed in the action captioned In re Merrill Lynch & Co., Inc. 24/7 Real Media, Inc. Research Reports Securities Litigation, 02 Civ. 3210 (MP).
2. Request of Ronald Ventura to be excluded from the CMGI class.
3. Excerpts of Stipulation Regarding Lead Plaintiff filed in In re Merrill Lynch & Co., Inc. Excite@Home Research Reports Securities Litigation, 02 Civ. 3042 (MP).
4. Merrill Lynch CMGI Research Reports issued between December 20, 1999 and October 6, 2000.
5. Excerpts of Sector Report dated June 7, 2000.
6. Trading prices (split-adjusted) of CMGI from March 23, 1999 to November 14, 2000 and chart (originally submitted in connection with the motion to dismiss the CMGI putative class action complaint).
7. CMGI, Inc. Form S-3 Registration Statement filed with the Securities and Exchange Commission on February 5, 1999.

Executed on: October 1, 2007



Scott D. Musoff